

City Council Chamber, City Hall, Tuesday, June 6, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 6, 2006, presiding and with Mayor Bill White, Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Don Cheatham, Division Chief, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present.

At 2:05 p.m. Mayor White called the meeting to order and called on Council Member Khan to begin presentations. Council Member Khan stated that today they were honored to have her Excellency Abator Thomas, the Minister of Health from Sierra Leone present and invited her to the podium. Council Member Khan stated that she was present to meet with leaders in the health industry and promote health issues and seeking partnerships between Houston and Sierra Leone; that she was committed to fighting AIDS and infant mortality; and presented her a Proclamation proclaiming her as honorary citizen and good will ambassador. Ms. Thomas stated that it was an honor and privilege to receive such a high award and she hoped the relationship between the two cities would go a long way in helping people live a healthy life. Council Members Johnson, Clutterbuck, Wiseman, Holm, Garcia and Green absent.

Mayor White stated that it was a privilege to have externs, teachers with the school districts organized by A+ Challenge, who in order to enhance their career experience sometimes served when school was not going on with various organizations to learn about opportunities in the City of Houston and invited Ms. Theresa Collier, Ms. Shirley Elaine Gray, Ms. Tulu Igbaljolie, Mr. Chris Moratz, Mr. James Dodd, Mr. Gary Tunyik, Ms. Carolyn Jones, Mr. Mathew Martinez, Ms. Barbara de Olivida, Mr. Garrett Reed, Ms. Shanel Abagee, Ms. Barbara Middlebrook and Ms. Florinda Yavagez to the podium and thanked them for serving in various areas of the City of Houston. Council Members Johnson, Garcia, Green and Berry absent.

At 2:18 p.m. Council Member Alvarado stated that it was an honor to have Pastor Otis Wrigley present with the Antioch Baptist Church and invited him to lead all in prayer; and Council Member Alvarado led all in the pledge. Council Members Johnson, Garcia, Green and Berry absent.

At 2:19 p.m. the City Secretary called the roll. Council Members Johnson, Garcia and Green absent.

Council Members Khan and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Johnson, Garcia and Green absent. MOTION ADOPTED

At 2:20 p.m. the City Secretary began calling the public speakers. Council Members Johnson, Garcia and Green absent.

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Pastor Elmo Johnson and Mr. Willie Scott at the top of the three minute non agenda speakers, seconded by Council Member Brown. All voting aye. Nays none. Council Members Johnson and Garcia absent. MOTION 2006-0436 ADOPTED.

Mr. Al Vera, 1038 Candlelight Lane, Houston, Texas 77018 (713-956-9310) appeared and stated that last year he had no idea of what Houston Media Source was and since he was appointed chair he made it his business to find out all he could and found there was not much communication between them and Council and they now took steps to correct that, he wanted

to hear what they had to say; that another improvement was involvement of the board, making sure they were fully involved in all operations and correcting procedures; that a big concern was content and they were in contact with many organizations reminding them of their avenue of communications; that he was proud to have met with 16 sister cities of Houston and they were excited about placing some of their information on the air. Council Members Johnson, Garcia, Alvarado and Berry absent.

Upon questions by Council Member Clutterbuck, Mr. Vera stated that meetings with all organizations had been very positive; that they came up with a much improved plan and had rewritten the form the producer signed when he joined them and it was explicit boxes were to be checked on what type of material he was to show and when certain ones were checked it was reviewed by staff and if they were not comfortable it went through others and finally him; that it was tested once and it worked; and Council Member Clutterbuck stated that she was glad he was leading the charge; and Ms. Johnson sent a memo on public access funding and it put into perspective how funding was done and how it should have been done all along and she thanked the Mayor for his leadership. Council Members Johnson, Garcia and Berry absent.

Council Member Lawrence stated that none could realize how good the organization could be and she did applaud him and all new members making a difference. Council Members Johnson, Garcia and Berry absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing from Ms. Tina Paez at this time; and Mayor White stated that at this time there were public speakers; and Council Member Sekula-Gibbs stated that she understood but it related to a memo on the same subject; and Mayor White stated that he wanted to be clear, the motion was to interrupt the public speakers and to then have; and upon questions, Council Member Sekula-Gibbs stated that she would move to suspend the rules to hear from Ms. Tina Paez at this time; and Council Member Alvarado stated that as point of order this was public session and not time for Council Members to question the Administration; and Mayor White stated that his concern was taking city employees and the Council Member made a motion to suspend the rules of this body to interrupt the public session and take up Ms. Tina Paez for an indefinite period of time; that the Administration did not support the motion; and called for discussion. Council Members Johnson, Garcia and Berry absent.

Council Member Wiseman stated that it was not precedent for a Council Member to make a motion to suspend the rules to have a representative come to the table and provide information and it was common for them to make such motions, it was under the rules and had been done and was not a disruption and she would be voting in favor of the motion. Council Members Johnson, Garcia and Berry absent.

Mayor White stated that the current motion on the table was to suspend the rules to allow Ms. Paez to come to the Council table and interrupt the public session for discussion with her; and called for a vote. Council Members Wiseman and Sekula-Gibbs voting aye. Balance voting no. Council Members Johnson and Berry absent. MOTION 2006-0437 FAILED.

Ms. Patty Nielson, 11601 Village Place Drive, Houston, Texas 77077 (281-870-8341) appeared and stated that she was a teacher in Spring Branch ISD and board member at Houston Media Source and she thanked the Mayor and Council for the appointment; that from an educator's heart this was where she needed to be; that Houston Media Source was going in the right direction and they had established a number of committees and partnerships and had students producing films and public service announcements; that they were now looking into pod casting and digital broadcasting, this was a good start; and she urged a vote for Item 50 allowing more money for that casting. Council Members Johnson and Berry absent.

Upon questions by Council Member Edwards, Ms. Nielson stated that November 15th Houston Media Source submitted to all Council Members a packet, a plan of action, and they had established committees, one being program and policies and procedures committee and it developed a mechanism to insure situations did not happen; that the board did not review tapes prior to broadcasting. Council Members Johnson, Garcia and Green absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Nielson stated that she had not seen the memo issued today from Ms. Johnson; and Council Member Sekula-Gibbs stated that she should read it and she would like Ms. Paez to explain; that it looked like there was a funding of over \$4 million to Houston Media Source and possibly to the Municipal Channel, and she wondered if they would be paying the taxpayers back; and Ms. Nielson stated that she was not a financier and had no information regarding the memo, but from what she saw at Houston Media Source and the reason she insisted on being on it was Houston needed such a station; and Council Member Sekula-Gibbs stated that was a lot of money allocated through F & A to the station and since it was not done through the approval of Council it would seem not to be legal and she would like to see if the board would take action to determine how they would repay it; and Ms. Nielson stated that she would hate that they get bogged down with a minute detail on anything and not allow progress to move forward, this station was needed; and urged all to work together and find a resolution. Council Members Johnson, Holm and Green absent.

Mr. Bart Womack, 8638 Lafonte, Houston, Texas 77002 (832-226-5671) appeared and stated that he was a producer with Houston Media Source and dealt with financing and pertaining to questions from Council and numerous issues facing PEGs (Public Education and Government) in general the key point was HB5 passed last year dealing with the memo Council Member Sekula-Gibbs brought up, it was not passed at the time of the continued funding and deficit they were talking about; that they were trying to apply law to what was not in effect and he would encourage all to investigate what he was speaking of; that HB5 also represented a threat to PEGs in general in Texas right now and they could ask San Antonio because they no longer had PEGs and the reason was because when HB5 was passed it changed the nature of franchising agreements in the state and how the franchising agreements were enacted changed and now cable companies were able to argue that other providers coming in the market were not being held to the same restrictions they were and they should be let out of the agreements; that there had to be a clearing of the air and understanding of how the new law was affecting the City of Houston because in 2008 the franchising agreement would come up here and without the political will of the Council body to insure there was some political force to confront the issue it could not be fought by the community; that the other aspect of funding was there was a gray area of what was right under the law and the moral issue of right and wrong, in looking at budgets of Houston Media Source and the Municipal Channel and payments to employees and level of sophistication of technology present in each institution it was apparent the Municipal Channel was receiving greater funds than the public access channel. Council Members Johnson and Holm absent.

Council Member Clutterbuck stated this was a complicated issue for her and she would like to yield time and have the Administration answer Council Member Sekula-Gibbs question on the funding; and Mayor White stated that he would break it into pieces, first, Council Members who did vote for a budget voted to include allocations to the Houston Municipal Channel and Houston Media Source and he would not assume they needed to pay back taxpayer dollars much less a board member who was just a volunteer; that he did not think it a good idea to pay for either of these outside general funds and as soon as it came to his attention more was being spent in the account than in the cable franchise fund it did not take long for instructions to be given on what would be included in the 2007 budget and to work through a plan to make sure through the use of technology they would be able to offer good

services for reduced funding; that there was no misappropriation of funds they were appropriated in the manner Council voted; that the comment about sometime in the 1990s to the knowledge of those in F & A who were no longer there an increase was allocated from general funds and it was shown in the budget and voted on, but most at this table did not feel it good to use general funds; and the speaker's reference to HB5 where cable providers were now claiming they should not be able to pay that amount; that there was a memo identifying general funds were used and he said no more. Council Member Holm absent.

Council Member Lawrence stated that she heard Ms. Nielson's excitement and his passion and upon questions, Mr. Womack stated that there were those on the board today who had shown a desire to meet the wishes of Council and their concerns and the integrity of what Houston Media Source was. Council Member Holm absent.

The City Secretary stated that Mr. Masseh, Mr. Bruhns, Mr. Alakaeve and Mr. Demessie should have been listed as Agenda speakers and she would call those speakers next. Council Member Holm absent.

Mr. J. W. Masseh, P. O. Box 74271, Houston, Texas 77274 (713-545-4777) appeared and stated that he was president of the Independent Cab Operators and they heard Council was considering a surcharge for drivers, it would increase the fare by fifty cents, but most drivers reject the increase because if they really wanted to help they would like an additional two dollars for each additional passenger but they appreciated the effort. Council Member Holm absent.

Council Member Khan stated that he had been asking the Mayor about helping the cab drivers on increased fuel cost, but he hoped the drivers were a part of the decision; and requested the Administration to get them involved as to what would work; and Mayor White stated that he thought the Transportation Committee dealing with the airport was also going to have a hearing and he asked F & A to do an expedited review and he hoped Council Members would listen and give Mr. Masseh's point serious consideration. Council Member Holm absent.

Council Member Berry stated that he would be interested in what other major cities had done; and upon questions, Mr. Masseh stated Yellow Cab was not an advocate of cab drivers; that other major cities estimated zone rates three dollars higher than meter, but here it was restricted and they gave a rate increase on paper but in reality it was less, meter was time and distance; that Council regulated the meter and to be specific he was asking Council to remove the zone rate cap and add a two dollar additional passenger surcharge which was in other major cities; and Council Member Berry stated that he would check on the Administration's position and see if research had been done on that. Council Members Lawrence, Holm, Lovell, Sekula-Gibbs and Green absent.

Mr. Rudy Bruhns, 1406 Hays, Houston, Texas 77009 (713-222-7077) appeared and stated that the Houston Transportation Company supported the recommendation of F & A, they believed it to be a balanced recommendation which would give drivers relief and not place an unfair burden on taxicab users, it was simple to understand and provided a mechanism for the rate to go up or down depending on fuel charge; and urge approval of the recommendation. Council Members Lawrence, Holm, Sekula-Gibbs and Green absent.

Mr. Mengishtu Demessie, 7714 Hot Creek, Humble, Texas 77346 (713-649-4145) appeared and stated that he was with the National Cab Company and against the fifty cents fuel charge, drivers said it was not good if they had to ask passengers to add the money to what the meter showed and to place an additional nickel to the meter it would help. Council Members Lawrence, Holm, Sekula-Gibbs and Green absent.

Mr. David Alakaeve, 8950 Chimney Rock, Houston, Texas 77004 (281-236-7518) appeared and stated that he was a taxicab driver and wanted to ask the city to investigate some things in the city, first was at the men's club there were illegal town cars, not licensed with the city picking up customers and he reported it to licensing but was told they did not go out at night, but that was when they were there; secondly, was hotels, the Magnolia, Hotel Derick and Double Tree, they were calling people who gave them a kickback instead of calling taxi drivers; and on the dress code they were not allowed to wear shorts and officers and postal workers could and he thought they should be able to also during the summer and would ask it all be checked into. Council Members Lawrence, Holm and Sekula-Gibbs absent.

Council Member Wiseman moved that the rules be suspended for the purpose of hearing from Mr. Jerry Brady at this time, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Lawrence, Holm and SekulaGibbs absent. MOTION 2006-0438 ADOPTED.

Mr. Jerry Brady, 827 E. Rogers, Houston, Texas 77291 (713-696-0177) appeared, presented information of the May 9th proposal they introduced for a fuel surcharge and stated that he was president of Liberty Cab Company; that the fuel surcharge on the agenda in his opinion would not compensate drivers for the high cost of gasoline, many were paying up to \$27.00 a day for fuel in 2001 and now up to \$80.00 a day; that he was also concerned with any fuel surcharge of any flat rate per trip, it placed the highest price percentage increase on the public sector least able to benefit. Council Members Lawrence, Holm and SekulaGibbs absent.

Upon questions by Council Member Khan, Mr. Brady stated that he did not have operating cost per mile because drivers were independent contractors; that regarding Mr. Masseh's proposal, he himself thought the problem was mileage and gas per mile; that he was in favor of a surcharge as soon as possible to put a Band-Aid on the problem, but a meter increase in general was going to be necessary. Council Members Lawrence and Holm absent.

Upon questions by Council Member Garcia, Mr. Brady stated that he received information on the proposal Friday and just began looking at it yesterday, but his understanding was they wanted to do fifty cents per trip; that his proposal was a little more progressive as they proposed not having a surcharge on trips under \$7.00 and that would help those on fixed income just going to the store, etc., and they did not think the fifty cents per trip would work because if someone took a 50 mile trip they would pay an additional fifty cents and if someone took a 3 mile trip to the store or doctor they too would pay the same; that his proposal would have a staggered surcharge based on the length of the trip. Council Members Lawrence and Holm absent.

Upon questions by Council Member Garcia, Mayor White stated that there was a cost based analysis in the figuring, but he would say they needed to make sure cab companies were viable, government should not force someone to lose money and he would like his colleagues help in committee hearing in looking at the approach, bills were going up for the taxi driver, but then should the cost from the airport to downtown be the same as a one way airline ticket, so he would ask for assistance. Council Members Khan and Holm absent.

Ms. Dorothy Hubbard, 2701 Mansfield, Houston, Texas 77091 (713-681-6657) had reserved time to speak but was not present when her name was called. Council Members Khan and Holm absent.

Pastor Elmo Johnson, 1106 Valentine, Houston, Texas 77019 (713-651-1215) appeared and stated that he knew Council's concern on affordable housing and placing those in apartments into homes and several months ago a CDC purchased homes from the \$1.00 airport

sale and they still had not materialized; that in Fourth Ward they built over 100 houses for low to moderate income and many still wanted affordable housing and buying those homes was to help; that Mr. Shelton Whitfield was with him and had put a package together and they wanted to see how they could help resolve the problem; and extended his time to Mr. Whitfield. Council Members Edwards, Holm, Brown and Berry absent.

Council Member Alvarado moved that the rules be suspended for the purpose of allowing Mr. Shelton Whitfield to speak at this time, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Edwards, Holm, Brown and Berry absent. MOTION 2006-0439 ADOPTED.

Mr. Shelton Whitfield stated that when Mr. Scott from Jails to Jobs and Rev. Johnson asked him to look at the opportunity he was presented a manual dated July 21, 2005, which had 158 homes and in research the City of Houston and Harris County Appraisal District already had noted the properties were deeded to Council and they funded the proposition as a for profit in coordination with Jails to Jobs in following through on the city's initiative for affordable housing. Council Members Edwards, Holm, Brown and Berry absent.

Upon questions by Council Member Wiseman, Mr. Whitfield stated that he did not have what they were asking in a written packet but he would proceed and deliver it to her verbally and be happy to provide it in writing; and Council Member Wiseman stated that she would like a copy and would like to remind Council that it was important to keep to the rules; and Mr. Whitfield stated that he would advise Council it was an unfortunate fact that the homes had now been pilfered, destroyed and otherwise vandalized and unfortunately they rescinded their offer for nine of the eleven homes and if the city would consider they had a budget for demolition of the homes and if they would allocate some of that funding for its reconstruction they would consider proceeding with the other homes they were rescinding their contracts on. Council Members Holm, Garcia, Brown and Berry absent.

Mr. Willie Scott, 718 Corvette, Houston, Texas 77060 (832-917-0730) appeared and stated that he served as president of Upper Fourth Ward for many years and was director for Jails to Jobs and they got into the airport project to do something good for the community which was affordable housing, but the houses were just being destroyed; that they did not ask for funding to move the houses but everyone was shoving the ball from one person to another and they were asking for help in providing affordable housing. Council Members Holm, Garcia, Brown, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Alvarado, Mr. Scott stated that they had lots tied up 10 months waiting for release of the property; that the airport system said they were waiting for the city to release the properties so they could move them, he thought it was the project manager who said they were waiting; and Council Member Alvarado stated that the airport was the city and she would check into that. Council Members Holm, Garcia, Brown, Sekula-Gibbs and Berry absent.

Council Member Berry stated that he was informed before the meeting by the airport that Mr. Scott was coming with an issue and there was a briefing he needed to review, but he did not have it as yet and should before the end of the meeting if they could wait maybe then they could all meet and see if the situation could be resolved; and Mr. Scott stated that he appreciated it. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Mayor White stated that he was told everything was signed by the city yesterday and a company, Schott, was to call him this week; and Mr. Scott stated that he was called on the way to the meeting; and Mayor White stated that he did not want to impose on Council Member

Berry but a timeline was done so they could figure out if someone in Aviation, etc., who could get the bureaucrat of the year award because this had been 10 months and he did not understand, it could not be that much to do for an abandoned house and who was going to take responsibility for letting it be vandalized; and Council Member Berry stated that should not happen; and Mayor White stated that somebody, who was responsible for the vandalizing; and Mr. Scott stated that he had asked if they could provide security for the houses and he was told since the city owned them they could not provide it; and Mayor White stated that was a bad thing for whoever was watching and that was not the way business was done here. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Council Member Johnson stated that he wanted to be clear because of the vandalism of the houses it would become a burden to them and he recognized that and wanted to make sure the responsibility was not placed on the organizations, but on those who did not do their jobs and he appreciated them bringing this to Council's attention; and Mayor White stated that he also appreciated them bringing this to their attention. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Ms. Deborah Elaine Allen, P. O. Box 263252, Houston, Texas 77207-3252 ((713-649-3985) had reserved time to speak but was not present when her name was called. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Mr. Richard L. Freeman, 121 Riggs, Houston, Texas 77022 (no phone) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) appeared and stated that he was present again asking what was in the budget for the citizen repair program; and Mayor White stated that he could proceed with his statement this was not a question and answer format; and Mr. Winters stated that he was tired of being lied to. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Dr. Oliver Kinchen, 4516 Maxey, Houston, Texas 77007 (281-447-4049) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Mr. Preston McGowen, 7985 Cinderella, Houston, Texas 77028 (713-675-9371) appeared, presented information and pictures and stated that in his area about 5 lots had never been cut and he lived there 47 years; people threw trash too and he was speaking of 7943, 7945, 7977 and 7949 Cinderella needing cutting and 7968 and 7950 Cinderella had trash; that a crack house was next door to him at 7981 Cinderella and was torn down and he had been keeping up the lot, it took 15 years to get rid of the house and now it was to be sold and he wanted the lot. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Council Member Johnson stated that he believed Mr. McGowen had spoken with Mr. Byrd in his office and there was a program being worked on to help alleviate problems such as this

and he was correct he kept up the property for a number of years and there should be fruit to the labor and they would work with him and he and the Mayor had spoken of a program and this was a good candidate for it; and if he called the Rat on a Rat Program he would be rewarded. Council Members Holm, Garcia, Brown and Sekula-Gibbs absent.

Upon questions by Mayor White, Mr. McGowen stated that the property at 7981 Cinderella was for sale and he took the sign down and called and said it was not for sale it took him 15 years to get rid of the crack house and he wanted it and would get it; and Mayor White stated that maybe if he waited they could get information from Lee Stoler what the delinquency was on that particular property and when it would be up; that they were making judgments because they wanted to make sure credible people such as him had...; that they wanted to do it fairly but they could not back date things and could not give things free. Council Members Wiseman, Holm, Garcia, Brown and Sekula-Gibbs absent.

Council Member Lovell stated that today was the foreclosure auction because it was the first Tuesday of the month and she was sure Lee Stoler could look and see if it was on auction today, if not there would no sale in July and the next would be in August; and Mayor White stated that he would like Ms. Stein and Mr. Cheatham to get the information; that he forgot this was a busy day, but they would get the information and be in touch. Council Members Wiseman, Holm, Garcia, Brown and Sekula-Gibbs absent.

Mr. John Johnson, 7102 Windemere, Houston, Texas 77088 (832-453-1900) appeared and stated that he had a project on Richmond, leased space, the tenant moved out and he simply wanted to move in; that he called the inspector and was told he needed a plan as built and he turned it in and then at 3300 Main he was asked for a full set of plans, if he moved back in with the same business he only had to pull a certificate of occupancy, a \$305.00 Occupancy Permit and they could come out, that it was not like they were trying to get by with anything, that they had people at 3300 Main who did not seem to know what they were doing; that it took him nearly a month to get a simple permit done and whenever someone from a different nationality comes in they get it done in two days because they were taking it to their own managers, that he did not mind going by the rules but there should be a set for everyone. Council Members Wiseman, Holm, Garcia, Brown and Sekula-Gibbs absent.

Mr. Charlie Schoen, 1614 Luthy Lane, Houston, Texas 77032 (no phone) appeared and stated that the right to travel was a privilege and he read court cases and said the right to use the highway for the purpose of travel and transportation was not a mere privilege, but a common fundamental right of which people could not be deprived; and that someone wanted to know how long it took the city to take care of a summery judgment; and Mayor White stated that he needed more details to give an answer and he could send a letter or E-mail; and if he had information at this time could give it to Mr. Cantu. Council Members Wiseman, Holm, Alarado, Brown and Sekula-Gibbs absent.

Mr. Johnnie McFarland, 1900 North Loop West #540, Houston, Texas 77018 (713-864-2925) appeared and stated that he wanted to thank Mr. Vara, Council Member Garcia and City Controller Parker as yesterday there was a meeting at the Houston Emergency Center and Council Member Garcia had facilitated the meeting between those employees there and management and the City Controller sent an audit team from Jefferson Wells to the meeting and there were representatives from SEIU and AFSME; that employees wanted the meeting with HEC management because hurricane season was upon them; that last year they lost 18 employees because of Hurricane Rita as due to circumstances they were not able to make it and now others were concerned about keeping their job and serving the city; that since they moved to HEC there were many problems with management and the city deemed the employees to be essential, but if they were they should not be bullied, harassed, intimidated,

retaliated against or discriminated against; that they were lifelines between the citizens and assistance and lifelines between officers and all emergency services; that he was shocked to find out yesterday the director was not aware calls at the dispatch center had been holding for 30 to 40 minutes sometimes and he was also concerned he was not aware that there were not enough police call takers; that one recommendation he always made since they were there was for HEC to be placed under police and fire, he felt in looking at overtime and where money went the city would be better served to have them control the emergency center rather than a bloated bureaucracy and the structure was already in place. Council Members Edwards, Wiseman, Holm, Alvarado, Brown, Lovell and Sekula-Gibbs absent.

Council Member Garcia thanked Mr. McFarland for coming and keeping the issues in front and stated that morale of employees and the work they did was very important for the city, especially when working in a pressure cooker like HEC, but yesterday Mr. Cutler did identify a 20% shortage of police call takers and a 4% decrease on the HEC side; that what was most effective he thought was the employees identified three simple things which would help and one was recognition of their work and he would like performance measures identified; secondly was the issue of scheduling time off and that was a point the Controller's Office reiterated and believed if they could work out a 16 week time frame for them to effectively schedule time off, so they could know when they would be off then morale would probably shoot up over night and he was looking to Mr. Cutler giving that serious consideration; that the third point escaped him at this minute, but he appreciated the meeting and he would ask for Mr. McFarland's help in bringing them back together. Council Members Edwards, Wiseman, Holm, Alvarado, Lovell and Sekula-Gibbs absent.

Council Member Berry stated this came to his attention from a television report and a few days before he received an E-mail from a police officer; and upon questions, Mr. McFarland stated that he had known this half a year now; they had been grossly understaffed as far as police telecommunicators went and until the problems at the Houston Emergency Center were solved...; that he would strongly suggest before hiring others these be solved; and Council Member Berry stated that if he or anyone else wanted more money they needed to show performance measures and such information and then it was on them and Council needed to respond or would be failing citizens because wait times he heard of were unconscionable and they were going to push non emergency calls to 911 and overload the system. Council Members Edwards, Wiseman, Holm, Alvarado, Lovell and Sekula-Gibbs absent.

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (281-236-7518) appeared and stated that some of the poorest people in Houston were disenfranchised from the Greyhound Bus Station, from receiving a taxi stand, and he felt people using the bus should be able to get a taxi just as if they were at the airport and he would like someone to look at that; that taxis were being blocked out at Minute Maid Park and he wanted Chief Hurtt to address that also; and officers were able to use shorts seasonally and so were mail carriers and he could not see why cab drivers would be forced to wear pants. Council Members Edwards, Wiseman, Holm, Alvarado, Lovell and Sekula-Gibbs absent.

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he wanted to let everyone know he was still around; that the city destroyed his house at 1611 Holman but they were going to pay him a lot of money for doing it and for violating his rights; that the Astros did not win because of the corruption; that it was time to galvanize; and stated who he would be voting for and which teams he was for in the World Cup Series. Council Members Wiseman, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent.

Mr. Raymond Avist, 8655 Pitner, Houston, Texas 77080 (504-296-7792) appeared and stated that he was from New Orleans, Louisiana and had resided in Dallas and now in Houston and was present to put ideas together and plan with the city and wanted to meet with the Police Chief and give him the tools he needed. Council Members Wiseman, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent.

Mr. Hartwell E. Remsburg, Jr. 6702 Renwick #9, Houston, Texas 77081 (713-829-7873) appeared and stated that he wanted to thank Mayor White for being Mayor and wanted to mention this was the 62nd anniversary of D-Day and he was both Korean and Viet Nam veteran of the United States Air Force; that he was also a proud Houston and Texas immigrant, in Houston 59 years coming from Little Rock, Arkansas, where Mayor White's father had come from; that he would like an ordinance against cell phones in moving vehicles this year and would like METRO to prohibit them on buses; that he also wanted to thank Mr. Cantu for helping him with bus parking near the museum and Council Member Edwards had done a fine job also. Council Members Wiseman, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) had reserved time to speak but was not present when his name was-called. Council Members Lawrence, Edwards, Wiseman, Holm, Garcia, Alvarado, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. William (Beal) Reagan, 6230 Symare Avenue, Van Nuys, California 91401 (no phone) appeared and stated that three more nights there would be a full moon; that he was on the front of Thriller; that Ann Rice was queen of the vampires; and sang. Council Members Lawrence, Edwards, Wiseman, Holm, Garcia, Alvarado, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Ms. Sudapon Kinney, 225 Aldine Bender #708, Huston, Texas 77060 (281-448-4190) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Alvarado, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was executive over all executives, everyone and everything; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Joseph Omo Omari, 2820 Palm #2B, Houston, Texas 77004 (832-767-0870) appeared and stated that on the illegal immigration issue it was not America's responsibility it was the Fox administration's responsibility; that America gave the Mexican government \$20 billion to bail out its failing banks during the Clinton administration and what happened to the money, it did not create jobs or education for the Mexican people; that Black people waited 200 years to be free and were still waiting for reparations. Council Members Lawrence, Johnson, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

At 4:17 p.m. City Council recessed until 9:00 a.m., Wednesday, June 7, 2006. Council Members Lawrence, Johnson, Edwards, Wiseman, Khan, Holm, Garcia, Brown, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, June 7, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Arturo Michel, City Attorney; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director and Ms. Stella Ortega, Agenda Office, present.

At 8:27 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:25 a.m. Mayor White called the meeting to order. Council Members Wiseman, Holm, Garcia, Alvarado, Lovell, Green and Berry absent.

MAYOR'S REPORT - Land Assemblage Redevelopment Authority

Mayor White stated one item was to let all know the exciting new developments on the Land Assemblage and Redevelopment Authority which made a major milestone and second was under the general report, something he learned and wanted to share on consequences of term limitation, the loss of institutional memory; on LARA, yesterday was a big day because they got over 300 long-term tax delinquent lots and in addition there were a couple hundred more bought; that the city had been putting in redevelopment and it attracted additional redevelopment and was improving quality of neighborhoods; now they could start building the first part of the selection for conveying lots to those CDCs and builders who had capacity to build; that there was an RFP posted on the web yesterday and thinking about LARA really perked him up as he had gone to an apartment complex who was \$200,000.00 plus tax delinquent and there were people there not getting water or sewer service and then in the same neighborhood there was a house being built in the LARA program and another affordable house across the street being built with private enterprise and next to that another posted for foreclosure and neighborhoods were being changed big time, but every house would have a community based organization associated with it, every house would have a CDC associated with it; that the only thing making some CDCs uncomfortable was the city would not give money to CDCs who never built a house and tell them do what you want, it was public money and some CDCs had not built affordable houses and neighborhoods wanted it affordable to those who lived there; that there were two RFPs with one being 131 tracts with 159 build able lots within it and the second had about 20 and 20; that he was speaking of Independence Heights and much of it was within the 100 year flood plan and that meant elevated construction was not a bad idea, but HUD had a rule and they said the city could not use and CDBG or other money to build within a 100 year flood plan so they would not, but then they said the city could not have any of the same people building or working on the ones in Independence Heights working on others in the other part of town even if they were using no federal funds, so they wanted to blacklist all who were building in other parts of town so they delayed Independence Heights, but they were going to higher authority; and he thanked members of the LARA board. Council Members Garcia and Alvarado absent.

Mayor White stated that each at the table were term limited and he had learned something in the last week; that they needed to take into account as they deliberated and managed the city the strengths and weaknesses of having decision makers with a built in loss of institutional memory because of term limits; that he for one supported the principal of term limits, but he was talking about cards dealt them; that he was learning lessons and they needed to assume that people who sat in their seats previously were sincere citizens who had good sense and were responsive to people; that he could not say how many times a decision was made around this table publicly where all of a sudden people confused ignorance with conspiracy; and he was

among those who thought something must be terrible because he could not understand why it had occurred, but if they would go back and look at deliberations there was logic there so they needed to respect the fact they had worked for the citizens; and with TIRZ he almost overreacted in some cases because it seemed the institutional knowledge and finances were in the head of an employee who left and then that knowledge was not there. Council Members Garcia and Alvarado absent.

Mayor White stated that when the two cable franchise owners merged a decision was made to use one franchise agreement and increase the total revenue to the city, but it decreased the pots in which it went in the franchise fees versus subscriber fees and decisions were made based on the logic of Council at that time that the mere fact of a merger between two private entities should not change allocation between amount going to public access and education and other revenues, he hit the roof when he found out but there was little institutional knowledge of this and it snuck up on him and it was the same thing with Fund 405, there were Council discussions, etc., and he figured how to get more money in the fund from a non city source once it was exhausted from the METRO general mobility funds, but he would say he wanted Houston to be the best run city government and public entity in the United States and they had a ways to go and that was why two months ago he talked to the two private businesses with the strongest budget forecasting and analysis management system in the region, Shell Oil and Baker Hughes, and they had begun the process so say a captain in police would be expected to know the budget every month, they had not expected that of city employees but it was begun so city finances could be more transparent for all. Council Members Garcia and Alvarado absent.

Council Member Holm moved to suspend the rules to consider Item 2 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Garcia and Alvarado absent. MOTION 2006-0440 ADOPTED.

Council Member Sekula-Gibbs moved to suspend the rules to consider Item 50 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Garcia and Alvarado absent. MOTION 2006-0441 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item 14 out of order, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0442 ADOPTED.

Council Member Holm stated that as a point of privilege she wanted to introduce Carr Cody, a young man present witnessing as a Boy Scout government in action as he was earning his Citizenship in the Community Badge; and asked him to stand to be recognized.

2. RECOMMENDATION from Director Parks & Recreation Department for fee increases for Adult Sports Programs sponsored by the Parks & Recreation Department – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Garcia stated that he submitting an amendment to Item 2; that he supported an increase in the sports fees, but was concerned it would get lost in the general account and not be applied effectively to field maintenance and offered the following written motion to amend Item 2:

“Motion by Council Member Adrian Garcia to Amend Item 2 on the City Council Agenda of June 7, 2006:

“All revenue from increased sports fees are to be used for field maintenance.”

Council Member Holm moved to suspend the rules to allow Mr. Joe Turner, Director of Parks and Recreation to discuss the item, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0443 ADOPTED.

Upon questions by Council Member Holm, Mr. Turner stated that they were working through the process of the revenue fund itself, the entire revenue fund and this was one step in balancing; that they would come forward with another response later this year to help deal with maintenance issues, but the fund was never set up properly and if a restriction was placed on it then it would hurt them as they tried to balance the funding during the rest of the year; that he would like to see such an amendment, but not this year.

Upon questions by Council Member Edwards, Mr. Turner stated that if this was limited to field maintenance the funding would be limited to fields in the parks and because of the different levels of fields some were just open space and then they would have to use the dollars strictly for the fields. Council Member Alvarado absent.

Upon questions by Council Member Lawrence, Mr. Turner stated that if the item and amendment passed it would not cut down on employment for parks. Council Member Alvarado absent.

Council Member Garcia stated that he wanted a commitment on fields; that in Moody Park the Soccer Field was a mud pit; and Mr. Turner stated that the increase was for programs they operated out of the parks department itself on their fields, not programs where entities used field space to earn and run their own program; that part of the confusion was the way the department was established with the numbered level of fields and they were trying to take more level 3 fields to level 2 and level 2 to level 1; and the increase was strictly for their programs. Council Member Alvarado absent.

Mayor White stated it was an important distinction and obviously maintenance was a high priority and if money was for one thing it had to come from something else; and upon questions by Council Member Garcia, Mr. Turner stated that his amendment would impede the process which was to give him the flexibility to get the job done, he was balancing a field problem and a total revenue program, this was not just a field issue; and Council Member Garcia stated that was his point, funds were raised and he was afraid maintenance would be on a back burner; and Mayor White stated that this was not a field maintenance fee it was a user fee, but he wanted maintenance to be given high priority and maybe they could do something in the budget to satisfy him; and Council Member Garcia stated he would like to have time to work out something and would tag Item 2 and his amendment. Council Member Alvarado absent.

Council Member Wiseman stated that she understood his sentiments, but had full faith in Mr. Turner; and with respect to Council Member Garcia's amendment it would be out of order in that separate from the actual item this agenda item related to an actual ordinance which spelled out user fees and the intent of the Council Member was to address policy. Council Members Clutterbuck and Alvarado absent.

Upon questions by Council Member Berry, Mr. Turner stated that the revenue would help maintain fields and operate programs; that they polled and were comparing average cost in the private sector in the city; and Council Member Berry stated that he appreciated Council Member Garcia's amendment, but though he appreciated the spirit of the amendment he opposed it. Council Member Alvarado absent.

Upon questions by Council Member Lovell, Mr. Turner stated that it had been 16 years since an increase and all cost were increased and they were looking for revenue increase. Council Member Alvarado absent.

Council Member Khan stated that city services were supposed to be for those who could not pay in the private sector; and when Mr. Turner said he was comparing with the private sports leagues it was bothersome to him; that it also seemed there was not much input from those who used the fields; and upon questions, Mr. Turner stated that the Rockets and Astros help fund youth programs and that was why they could do it for free; and Council Member Khan stated that he was also tagging Item 2. Council Member Alvarado absent.

Mayor White stated that it was not the intent to pay country club fees; that also people if asked always wanted more for less; and if you did not increase fees you had to increase subsidy from other sources; and he wanted to find money in the large general fund sources to be dedicated to additional police academy classes and every bit of general fund used for subsidy for something else made that less likely. Council Member Alvarado absent.

Council Member Lawrence stated that she respected the budget presented and would like to support him; and would like to hear from Director Turner during the week to understand his reservations. Council Member Johnson absent.

Council Member Edwards stated that Mr. Turner was one of the most proactive Parks Directors they ever had and she understood Council Member Garcia but in District D adults came and took them over from the youth so adults should pay more just because they use it more and they leave trash, etc., and if they changed the words field maintenance to park maintenance and development she could live with that; and Mayor White stated that in the city budget there was a tab called Special Revenue Funds and it was separated from the General Fund Budget; that Council Member Garcia wanted more funds for maintenance and Mr. Turner was trying to get more maintenance for the buck.

Item 2 and the amendment were tagged by Council Members Garcia and Khan.

50. ORDINANCE approving and authorizing first amendment to Contract #52024 between the City of Houston and **HOUSTON MEDIASOURCE** for a Public Access Television Channel - \$250,000.00 Cable Television Fund – **(This was Item 30 on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, WISEMAN, SEKULA-GIBBS and HOLM)** – was presented.

Council Member Sekula-Gibbs stated that yesterday during public session Item 50 was presented and she asked for more information, but the Mayor declined Ms. Paez to speak to Council; and Mayor White stated that she was voted down; and Council Member Sekula-Gibbs stated that he said it was an interruption and she regretted that, but she sent a memo to Ms. Johnson and had received no response; that according to Ms. Johnson's memo there was about \$4.1 million was given to the Municipal Channel as well as Media Source and if you would add in the other cable channels it added to another \$600,000.00 and that was about \$4.7 million given to the two channels which should have gone to the general fund and the general fund was supported by taxpayers and she was requesting the money be replaced and repaid even if Media Source needed to take out a loan; and it was outrageous to consider today giving them another \$250,000.00 when they found out by the Administration's own memo they had known of this in December 2005 and also in December there was a critical vote extending Media Source's contract and the information was withheld from Council Members and the vote may have been different if they had known and she wanted to know why the Administration did not allow Council Members that information; and she felt it incumbent on the Administration to explain.

Mayor White stated that in 1999 Time Warner bought the other cable companies and each of the companies had different formulas for calculations of the franchise and fee for public and educational; that the Administration and Council at the time, to simplify, the Administration had one cable franchise applicable then to both territories and that franchise had relatively more for franchise fees and less for public and educational so the Council and Administration at the time thought the intention in improving the merger was to be neutral concerning funding for public and educational channels; that following the appropriation direction was given to the people in F & A to allocate an amount of the franchise fee unrestricted sufficient to make up the difference between the subscription fee and amount of franchise fee in budget and that was done pursuant to the policies articulated in that budget year; that the merger should not change or alter the allocation between the two fees; that in budget books after that year there was a description which said payment into the cable television fund was from subscription fees using the same language prior to 1999 and that should have been changed at the time to reflect it was both the franchise fee paid by cable companies and subscription fees, but it was not; and after the budget on HMS they were looking at the effect of Senate Bill 5 and in particular there was interest he had in cutting the budget without reducing effectiveness and it was at that time Ms. Johnson and Ms. Paez learned and reported to him in fact there was an allocation coming from both subscription fees and franchise fees and at that point a taskforce was prepared to transition the budget to a significantly lower amount for both entities. Council Member Lawrence absent.

Council Member Sekula-Gibbs stated that he was talking of identifying more money for police cadet classes and here \$4.6 million was identified and could be used; and Mayor White stated with due respect amounts were in the budget of the City of Houston and he got the ball rolling to cut that budget but organizations did not overcharge it was allocated with one exception which was during the penance of the HMS contract they were not paying some amount on HMS, it did not make the board members happy, but he thought it appropriate; and Council Member Sekula-Gibbs stated that she thought they needed a formal audit, it was a lot to be diverted from the general fund and she wanted it restored to the taxpayers. Council Member Lawrence absent.

Council Member Wiseman stated that during yesterday's public session the Mayor commented to Council Member Sekula-Gibbs, he made suggestions the Council Member approved the expenditure for the purpose because she voted for the budget and was saying in one instance they did not have enough for HPD classes but knowingly made the money available to HMS, so in his priorities he was saying this was more important than public safety, it was his budget and he should know what was in it, if he expected Council Members to know everything in it not explained directly then how did he not know what was in it; that she concurred with Council Member Sekula-Gibbs and understood her sentiments and she did not vote for his budget last year and did not vote in support of this, but even if she had it was inappropriate to suggest they would know hidden cost that the Mayor himself was claiming he did not know; and she did not support the item. Council Member Lovell absent.

Council Member Alvarado stated that this was a complex issue and no one in the Administration in 1999 was present now and did not have the historically knowledge and this was a result of a merger; and Ms. Johnson's memo was clear that at no time general fund balances actually had been transferred to the cable television fund or any ad valorem tax revenue and those two things needed to be made clear. Council Member Lovell absent.

Council Member Garcia stated that since there was no ad valorem or sales tax transferred that was where the money for public safety would come from; and Council Member Alvarado stated that was exactly right. Council Member Lovell absent.

Council Member Edwards stated that she did not want to be held responsible for anything done by another Council and did not think they should pick and choose expenditures, but over 60% of this budget was already geared to public safety and she thought the commitment was clear; and moved to call the question, seconded by Council Member Alvarado. Council Members Holm, Sekula-Gibbs, Wiseman and Clutterbuck voting no. Balance voting aye. Council Member Lovell absent. MOTION 2006-0444 ADOPTED.

A roll call vote was called on Item No. 50.

ROLL CALL VOTE:

Mayor White voting aye	Council Member Garcia voting aye
Council Member Lawrence voting aye	Council Member Alvarado voting aye
Council Member Johnson voting aye	Council Member Brown voting aye
Council Member Clutterbuck voting aye	Council Member Lovell voting aye
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Green voting aye
Council Member Khan voting aye	Council Member Berry voting no
Council Member Holm voting aye	ORDINANCE 2006-571 ADOPTED.

14. ORDINANCE AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to implementing a Fuel Surcharge for Vehicles-For-Hire – was presented.

Council Member Berry stated that he would like to hear from members of the industry at their meeting next week and moved to delay Item 2 for two weeks, seconded by Council Member Alvarado.

Council Member Edwards stated that she agreed but wanted to include the analysis or recommendations submitted by Liberty in the discussion; and Council Member Berry stated it was his intention to hear from independents and major providers.

Mayor White stated that because of fuel he encouraged people around the table to look at the taxis and he was legitimately convinced that it needed to be reviewed and make sure the consumers were protected and airport served.

A vote was called on Council Member Berry's motion to delay Item 14 two weeks. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0445 ADOPTED.

CONSENT AGENDA NUMBERS 1 THROUGH 45

MISCELLANEOUS - NUMBERS 1

1. RECOMMENDATION from Director Department of Finance & Administration and the Office of the City Controller for payment of \$936,411.00 to the **INTERNAL REVENUE SERVICE** for Arbitrage Rebate Liability on Convention and Entertainment Facilities Department Hotel Occupancy Tax Revenue and Special Revenue Bonds, Series 2001C - Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0446 ADOPTED.

DAMAGES - NUMBER 3

3. RECOMMENDATION from City Attorney for settlement of lawsuit styled **SOUTHWESTERN BELL TELEPHONE, L.P. v. City of Houston**; in the 164th Judicial District Court of Harris County, Texas \$63,200.00 - Property and Casualty Fund was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0447 ADOPTED.

ACCEPT WORK - NUMBERS 4 through 7

4. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$9,234,609.10 and acceptance of work on contract with **DIXON EQUITIES, LTD. (dba CONSTRUCTION LTD.)** for Mickey Leland IAB interim Improvements at George Bush Intercontinental Airport/Houston; Project 513A; CIP A-0203 and A-0404 - 00.47% under the original contract amount - **DISTRICT B – JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0448 ADOPTED.
5. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$44,951,936.16 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as CHAMPAGNE-WEBBER, INC. TEXAS)** for New Cargo Infrastructure at George Bush Intercontinental Airport/Houston Project 560, CIP A-0116 - 00.74% under the original contract amount - **DISTRICT B – JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0449 ADOPTED.
6. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$22,785,518.49 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as CHAMPAGNE-WEBBER, INC. TEXAS)** for Taxiway “SD” Bridge at George Bush Intercontinental Airport/Houston Project 558A, CIP A-0184, A-0392 and A-0431 - 06.88% over the original contract amount - **DISTRICT B – JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0450 ADOPTED.
7. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$423,087.40 and acceptance of work on contract with **SUMCO, INC** for Storm Water Pollution Project, GFS L-0028-01-3 - 03.24% over the original contract amount - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; H - GARCIA and I – ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0451 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 13

9. **LEGAL APPLICATIONS HOLDING dba CLIENT PROFILES** for Integrated Records/Claims Database System through the City’s Master Agreement with the Texas Procurement Center, LLC for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for the Legal Department - \$200,140.00 - General and Property and Casualty Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0452 ADOPTED.
10. **H & H INDUSTRIES, INC** for Purchase of Traffic Signal Lamps from the State of Texas Building and Procurement Commission’s Contract through the State of Texas Cooperative

Purchasing Program for the Department of Public Works & Engineering - \$21,513.60 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0453 ADOPTED.

11. **BRH-GARVER CONSTRUCTION, L.P.** for Emergency Repair of the Storm Sewer at 1200 Post Oak for Department of Public Works & Engineering - \$162,348.00 - Storm Water Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0454 ADOPTED.
12. **SULZER PUMPS (U.S.) INC** for Pump Repair Services for Department of Public Works & Engineering - \$50,180.93 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0455 ADOPTED.
13. **W. W. GRAINGER, INC** for Concrete Saws and a Water Blaster with Trailer from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering - \$81,075.24 - Enterprise and Equipment Acquisition Consolidated Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0456 ADOPTED.

ORDINANCES - NUMBERS 20 through 45

20. ORDINANCE appropriating \$4,870.00 out of Drainage Improvements Commercial Paper Series F, Fund 49R for, and approving and authorizing the purchase from Wentwood St. James, L.P. of two parcels of land, being a storm sewer easement and a Temporary Construction Easement, and Title Services, for and in connection with the Sharpstown Area Drainage Improvements Project located at 9109 Fondren Road; being 2,021 and 1,675 square feet of land, more or less, respectively, out of Block 1, Reserve "B", the replat of Wiltshire Village Subdivision, the J. R. Black Survey, A-134, Houston, Harris County, Texas; Parcel Numbers LY5-005 and LY5-005A; CIP M-0256-01-2 - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. ORDINANCE 2006-572 ADOPTED.
21. ORDINANCE consenting to the addition of 78.524 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 374**, for inclusion in its district - was presented. All voting aye. Nays none. ORDINANCE 2006-573 ADOPTED.
23. ORDINANCE establishing the south side of the 4400 and 4500 blocks of Rusk Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2006-574 ADOPTED.
24. ORDINANCE establishing the south side of the 3200 block of Wentworth Street and the north side of the 3200 block of Arbor Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. ORDINANCE 2006-575 ADOPTED.

25. ORDINANCE renaming Riverchase Village Trail to Rustling River Drive within the Villages of Riverchase Subdivision, Section 1 - **DISTRICT E – WISEMAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-576 ADOPTED.
29. ORDINANCE appropriating \$232,959.26 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **ROYAL OAK ENTERPRISES, LLC** for Construction of Water and Sanitary Sewer Lines to serve the Royal Oaks Terrace Subdivision, CIP S-0800-K6-3 and R-0800-K6-3 **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-577 ADOPTED.
30. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **TIBH INDUSTRIES, INC (formerly known as TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED)**, for Grounds Maintenance Services for Various Departments as approved by Ordinance 2001-285 – was presented. All voting aye. Nays none. ORDINANCE 2006-5728 ADOPTED.
32. Omitted
34. ORDINANCE appropriating \$3,631,800.00 out of General Improvements Consolidated Construction Fund and \$2,192,000.00 out of Public Health Consolidated Construction Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for the Fifth Ward Multi-Service Center, GFS D-0071-01-3 & H-0054-01-3; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, air monitoring, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by General Improvements Consolidated Construction Fund and Public Health Consolidated Construction Fund - **DISTRICT B – JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-579 ADOPTED.
35. ORDINANCE appropriating \$6,721,200.00 out of General Improvements Consolidated Construction Fund; awarding construction contract to **MORGANTI TEXAS, INC** for the Northeast Multi-Service Center, GFS D-0079-01-3; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by General Improvements Consolidated Construction Fund **DISTRICT B – JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-580 ADOPTED.
36. ORDINANCE appropriating \$316,249.00 out of Parks Consolidated Construction Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for Tanglewilde Park, GFS F-504C-10-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, environmental monitoring services and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT G – HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2006-581 ADOPTED.
37. ORDINANCE appropriating \$497,131.25 out of Parks Capital Fund; awarding construction contract to **APACHE SERVICES, INC** for Driving Range Upgrade-Memorial Park, GFS F-

0596-01-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing services, and contingencies relating to construction of facilities financed by Parks Capital Fund - **DISTRICT G – HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2006-582 ADOPTED.

38. ORDINANCE appropriating \$990,263.95 out of Solid Waste Consolidated Construction Fund; awarding construction contract to **EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P.** for Southeast Service Center Leaking Petroleum Storage Tank Remediation and Underground Storage Tank Replacement, GFS L-0052-01-5; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for project management and construction oversight and contingencies relating to construction of facilities financed by Solid Waste Consolidated Construction Fund - **DISTRICT I – ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-583 ADOPTED.
39. ORDINANCE appropriating \$4,307,014.00 out of Series E Commercial Paper Metro Project Fund and \$987,617.00 from Water & Sewer System Consolidated Construction Fund awarding contract to **PACE SERVICES, L.P.** for Westview Paving Project from West Belt to Shadowdale Drive, GFS N-0549-04-3 (SB9023-02); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing services, project management and contingencies relating to construction of facilities financed by Series E Commercial Paper Metro Project Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT A – LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-584 ADOPTED.
40. ORDINANCE appropriating \$2,285,478.48 out of Series E Commercial Paper Metro Projects Fund No. 49M, \$356,172.52 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION CO., LTD.** for Ley Paving Improvements from Homestead to Kirkpatrick, GFS N-0587A-02-3 (SB9178); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, contingencies and project management relating to construction of facilities financed by Series E Commercial Paper Metro Projects Fund, and Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-585 ADOPTED.
41. ORDINANCE appropriating \$696,800.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Program B3 Project, GFS N-0610A-B3-3 (SB9113-03); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; G - HOLM and H – GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-586 ADOPTED.

42. ORDINANCE appropriating \$4,887,942.49 out of Series E Commercial Paper Metro Projects Fund and \$896,944.89 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **TEXAS STERLING CONSTRUCTION, L.P.** for Rogerdale Reconstruction from Westpark to Westheimer, GFS N-0644-09-3 (SB9166); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT G – HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2006-587 ADOPTED.
43. ORDINANCE appropriating \$5,722,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **BOYER, INC** for Beltway Wastewater Treatment Plant Improvements, GFS R-0265-33-3 (WW4877-01); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT F – KHAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-588 ADOPTED.
44. ORDINANCE appropriating \$2,487,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Blossom Heights Area, GFS S-0035-D7-3 (WA10860-01); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT G – HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2006-589 ADOPTED.
45. ORDINANCE appropriating \$5,319,800.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **BOYER, INC** for 8/12-inch Water Line Installation and 24/30/36-inch Water Line Rehabilitation along Calumet, Westpark, Mid Lane and Westheimer, GFS S-0900-A5-3 (WA10448-08); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS and G – HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2006-590 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

8. **FLIR SYSTEMS, INC** for Thermography and Imaging Camera Systems for Health & Human Services Department - \$199,500.00 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent. MOTION 2006-0457 ADOPTED.

ORDINANCES

15. ORDINANCE approving and authorizing five (5) year Telecommunications License Agreement, with two (2) renewals of five (5) years each, between the City of Houston, Texas, as licensor, and **T-MOBILE TEXAS, L.P.**, as licensee, for Ground Space at Fire Station 13, 2215 West 43rd Street, Houston, Texas, in consideration of a license fee of \$1,000.00 per month to be paid to the City, and a similar fee in the event of sub-licensing, for the purpose of licensee's constructing a new communications tower and installing antennas and radio equipment, such tower to become the property of the City at the expiration of the agreement - Revenue - **DISTRICT A – LAWRENCE** – was presented and tagged by Council Members Green, Sekula-Gibbs, Wiseman and Johnson. Council Member Edwards absent.

Council Member Lawrence stated that on Items 15 through 17 , this was a budget amendment last year Council proposed and it was something other cities were doing; that she saw the long run to be taking ugly antennas out of neighborhoods and putting them at fire stations and it became a revenue stream for the city; that T-Mobile worked with them last year setting this up and it had tremendous potential; that they were still looking with Legal on things such as once providers were at the stations they remove old antennas and it was a win/win situation. Council Member Edwards absent.

Council Member Alvarado stated that she applauded Council Member Lawrence's work; that it was an issue in Council Member Garcia's district and one thing which came up in the Fire Department's budget meeting yesterday was discussion of fees generated from cell towers and they asked for information from F & A as to where the fees would go, general fund versus department fund which they were generated from and they looked forward to receiving the information. Council Member Edwards absent.

Council Member Garcia stated that he too wanted to support his colleagues and thank Council Member Lawrence on this item; that he thought this was a great concept and it would help the aesthetics of the city, but he also wanted to make sure they looked at not just stand alone cell towers but maybe see how they could get the cell towers to support the fire house towers as some of those needed improvements or replacements and maybe there could be a broader win/win with the radio communication system. Council Members Holm and Lovell absent.

Council Member Lawrence stated she gave a brief synopsis, but these towers were replacing so the city did not have the expense of replacing at the fire stations, they would be building all new antennas and the potential for revenue was tremendous. Council Members Holm and Lovell absent.

16. ORDINANCE approving and authorizing five (5) year Telecommunications License Agreement, with two (2) renewals of five (5) years each, between the City of Houston, Texas, as licensor, and **T-MOBILE TEXAS, L.P.**, as licensee, for Ground Space at Fire Station 50, 4420 Bingle Road, Houston, Texas, in consideration of a license fee of \$1,000.00 per month to be paid to the City, and a similar fee in the event of sub-licensing, for the purpose of licensee's constructing a new communications tower and installing antennas and radio equipment, such tower to become the property of the City at the expiration of the agreement - Revenue - **DISTRICT A – LAWRENCE** – was presented and tagged by Council Members Green, Sekula-Gibbs, Wiseman and Johnson. Council Members Holm and Lovell absent.

17. ORDINANCE approving and authorizing five (5) year Telecommunications License Agreement, with two (2) renewals of five (5) years each, between the City of Houston, Texas, as licensor, and **T-MOBILE TEXAS, L.P.**, as licensee, for Ground Space at Fire Station 105, 14014 West Lake Houston Parkway, Houston, Texas, in consideration of a license fee of \$1,000.00 per month to be paid to the City, and a similar fee in the event of sub-licensing, for the purpose of licensee's constructing a new communications tower and installing antennas and radio equipment, such tower to become the property of the City at the expiration of the agreement - Revenue **DISTRICT E – WISEMAN** – was presented and tagged by Council Members Green, Sekula-Gibbs, Wiseman and Johnson. Council Members Holm and Lovell absent.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the Old Crosby-Lynchburg Road Street Right-of-way, containing 120,224 square feet of land, more or less, Parcel AY1-006, being located in the Nathaniel Lynch Survey, A-44, Harris County, Texas; vacating and abandoning said tract of land to the Coastal Water Authority, the abutting owner, in consideration of owner's construction of a Pump Station Floodwall, dedication of a new section of the Crosby-Lynchburg Road to the Public, containing an aggregate of 111,910 square feet of land, more or less, Parcels AY1-008A, AY1-008B and AY1-008C, pursuant to an interlocal agreement - **DISTRICT E – WISEMAN** – was presented. All voting aye. Nays none. Council Members Holm and Lovell absent. ORDINANCE 2006-591 ADOPTED.
19. ORDINANCE approving and authorizing the City of Houston to submit the 2006 Consolidated Annual Plan to the United States Department of Housing and Urban Development, including the following 2006-2007 grant applications: 1) 32nd Year Community Development Block Grant in the amount of \$38,315,296.00 (\$30,757,450.00 Entitlement Grant, \$3,000,000.00 Program Income and \$4,557,846.00 prior years funding); 2) Home Investment Partnerships grant in the amount of \$13,980,639.00 (\$13,214,303.00 Grant, \$500,000.00 Program Income and \$266,336.00 from the American Dream Down Payment Initiative [ADDI]); 3) Housing Opportunities For Persons With AIDS Grant in the amount of \$6,039,000.00; and 4) Emergency Shelter Grants in the amount of \$1,317,133.00; and to accept the aforementioned Grant Funds, if awarded – was presented, and tagged by Council Member Wiseman. Council Members Holm and Lovell absent.
22. ORDINANCE establishing the north and south sides of the 1100 block of Milford Street and the north side of the 1200 block of Milford Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT C – CLUTTERBUCK** – was presented, and tagged by Council Member Clutterbuck. Council Members Holm and Lovell absent.

Council Member Clutterbuck stated that she tagged the item as several constituents and concerned individuals wanted the opportunity to speak at public session Tuesday. Council Members Holm and Lovell absent.

26. ORDINANCE authorizing and approving Compromise and Settlement Agreement between the City of Houston and **SIRIUS ENTERPRISE SYSTEMS GROUP, L.L.C., (“SIRIUS”)** to settle a claim - \$175,000.00 - General Fund – was presented, and tagged by Council Member Sekula-Gibbs. Council Members Holm and Lovell absent.

Council Member Sekula-Gibbs stated that she needed more information; that they were having problems and working to improve the Municipal Courts and her concern was perhaps there was too much consolidation of control in one area which was leading to problems and

there seemed to be a red flag; and asked for information regarding what was being done on a go forward basis to make this better. Council Members Holm and Lovell absent.

27. ORDINANCE approving contract between the City of Houston and **MONTY PARTNERS, L.L.P.**, for Litigation Services to assist in defending claims brought by Marsha Farmer in a lawsuit styled United States of America ex rel Marsha Farmer v. the City of Houston and Houston Area Urban League; Civil Action No. H-03-3713 now pending in the United States District Court for the Southern District of Texas, Houston Division - \$375,200.00 - Property and Casualty Fund – was presented, and tagged by Council Member Sekula-Gibbs. Council Members Holm and Lovell absent.
28. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Law Enforcement, General Surveillance and Traffic Control in TXDOT Construction Zones – Revenue – was presented, and tagged by Council Member Wiseman. Council Members Holm and Lovell absent. (Note: Council Member Wiseman released her tag later in the meeting.)

Council Member Berry stated that he wanted to apprise his colleagues that Captain Bender was working with TXDOT and it was very good for the city and he encouraged anyone interested to speak with her; and Mayor White stated that this was really big.

31. ORDINANCE approving and authorizing first amendment to Contract #55574 between the City of Houston and **ITRONIX CORPORATION** for Computer Software and Hardware Maintenance Services - \$281,463.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Holm absent. ORDINANCE 2006-592 ADOPTED.
33. ORDINANCE appropriating \$4,047,000.00 out of Fire Special Fund and \$3,843,000.00 out of Fire Consolidated Construction Fund; awarding construction contract to **STATE CONSTRUCTION, L.P.** for the New Downtown Fire Station Number 8, GFS C-0149-02-3; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Fire Special Fund and Fire Consolidated Construction Fund - **DISTRICT I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Holm absent. ORDINANCE 2006-593 ADOPTED.

NON CONSENT AGENDA - NUMBER 46

MISCELLANEOUS

46. MOTION to set a date not less than seven (7) days from June 7, 2006, to receive nominations for Positions 9, 10 and 11 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for two-year terms – was presented.

Council Member Khan moved to set next Wednesday, June 14, 2006, to receive nominations, seconded by Council Member Alvarado. All voting aye. Nay none. MOTION 2006-0458 ADOPTED.

MATTERS HELD - NUMBERS 47 through 53

47. ORDINANCE appropriating \$273,720.00 out of Street & Bridge Construction Fund (Fund 405) for Rapid Refueling Upgrades for Public Works & Engineering Department – **(This was Item 14 on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM and SEKULA-GIBBS)** - was presented. Council Members Wiseman, Sekula-Gibbs, Berry, Clutterbuck, Holm, and Lovell voting no. Balance voting aye. **ADOPTED (No number was given as later in the meeting the rules of Council were suspended and the ordinance was brought back for reconsideration and tabled by MOTION 2006-0463)**

Council Member Holm stated this was the rapid refueling plan which she absolutely did support, but one more time with the budget surplus this year she did not understand why the Administration continued to propose Fund 405 which was an approved amendment to the budget restricting its usage to street and bridge, she and many colleagues had consistently asked for implementation of amendments adopted by the budget and this was another disregard of Council action; that if the whole process was a token gesture then they needed to be reminded of the responsibility so they could focus on where they could make a difference; that she did not like being argumentative but if transparency and consistent policy was what they were all about then they should work together toward that.

- 47a. RECOMMENDATION from Finance & Administration Department to award to **DUP'S INC** for Rapid Refueling Upgrades for Department of Public Works & Engineering \$273,720.00 - Street & Bridge Construction Fund – **(This was Item 14a on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM and SEKULA-GIBBS)** - was presented, moved by Council Member Alvarado, seconded by Council Member Khan.

Council Member Holm moved to amend Item No. 47a to be funded by Fund 100 to replace Fund 405 in the amount of \$273,720.00 for the rapid refueling upgrade, seconded by Council Member Clutterbuck.

Mayor White stated that he would ask for clarification from Legal as Item 47 was passed and this item was on contract award; and Mr. Michel stated that he was at a bit of a loss as he was not sure the amendment would be germane to this item as the appropriation was already passed. Mayor White stated that he was trying to figure out a parliamentary correct way so that Council Member Holm could present her amendment; that when Item 47 came up he called on Council Member Holm because he thought it was her intent to propose the amendment, but he felt to accomplish this was if someone who voted for Item 47 would move to reconsider.

Council Member Garcia moved to reconsider Item 47, seconded by Council Member Alvarado.

Council Member Wiseman stated that as a point of order the Council rules did not allow reconsideration until after a 90 day period and at that point a member who voted on the prevailing side would make the motion so they would have to motion to suspend the rules first.

Mayor White stated that out of procedural fairness he would vote to suspend the rules of this body to allow the reconsideration of this item so Council Member Holm could propose her amendment at the appropriate time; that there was a motion and a second to suspend the rules to reconsider Item 47 and called for a vote. All voting aye. Nays none. **MOTION 2006-0459 ADOPTED.**

Mr. Michel stated that the vote was on the motion to suspend the rules and the next item should be the vote to reconsider; and Mayor White stated that he thought the motion was to

suspend the rules and reconsider Item 47 before the 90 days, you could do that, make them part of one motion.

Council Member Garcia stated that he would make the motion to suspend the rules and reconsider Item 47; Mayor White stated that though he disagreed he would go with the City Attorney; that someone could make a motion to suspend the rules and reconsider in the same item but it had to be carried by 10 votes; and did they want to treat them as two motions; and called on a vote to reconsider Item 47. All voting aye. Nays none. MOTION 2006-0459A ADOPTED.

Mayor White stated that the item was reconsidered and was before Council and Council Member Holm stated that she wanted to propose an amendment to Item 47 that Fund 100 be substituted in place of Fund 405 in the amount of \$273,720.00 for the rapid refueling upgrade at two refueling sites for the Public Works and Engineering Department, seconded by Council Member Clutterbuck.

Council Member Wiseman stated for the record she would like Council Member Holm to explain Fund 100; and Council Member Holm stated that Fund 100 was the General Fund for Public Works.

Mayor White stated that right now they were discussing...; that Fund 100 was an overall General Fund, certified out of subsidiary funds within that and they would want to help her find an appropriate subsidiary fund that the Controller would certify. Council Member Wiseman absent.

Council Member Edwards stated that she did not know why Director Marcotte chose Fund 405 as opposed to another and did not know the ramifications of changing it to another fund, but would like the Mayor's opinion on the whole issue. Council Members Wiseman and Garcia absent.

Mayor White stated that he would start by saying given the amount and the passion of the issue from someone he respected, he did not have a strong view, but he would say why they suggested what they had done and that was that Fund 405 was an account largely funded from the general mobility funds from METRO who reimbursed for projects approved by Council in 1997 as a part of the CIP ranging from sidewalks, school crossings, street projects, etc., and he agreed with Council Member Holm and Chairman Green this would be for mobility related purposes and they ought to specify allocation for this fund for various specified purposes if they used general fund accounts then it would be less money; that he wanted to preserve as much in the general fund for public safety as they could; and his colleague pointed out there was a budget surplus, but it was by design so they would not have deficits later on as they added police academy classes and as the fire contracts went on, but if a Council Member felt that strongly either account, the general fund or this account or another general fund account could be used for any lawful purpose; and if someone felt that passionate he would be inclined to help identify an appropriate account and put it in that account; and Council Member Edwards stated that she assumed Mr. Marcotte made deliberations to know what fund to take it out of and he was not making those assumptions he needed to be fired, when Council changed things at the table that had been deliberated on she would like to know the ramifications of the changes or if there was any to know how to move forward; and Mayor White stated that they were trying to figure out how to identify some fund that could be certified by the controller, one suggestion they had was to move the item to the end of the Agenda and he heard Council Member Edwards and would take responsibility for doing what he thought Council Members wanted. Council Members Johnson, Brown and Sekula-Gibbs absent.

Council Member Garcia moved to postpone Items 47 and 47a to the end of the Agenda, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Johnson, Brown and Sekula-Gibbs absent. MOTION 2006-0460 ADOPTED.

Council Member Holm stated that she and the Mayor continually disagreed on this and it was not a matter of funding or not funding public safety, last year at budget the body unanimously adopted an amendment stating Fund 405 would be a fund used for street and bridge and the policy would be established within 90 days and they continually disagreed, but it was a law, it was adopted, and to use money out of any other fund was inappropriate; that they had taken money out last week for Katrina which she said at the time was a loan and not usage; that they discussed it for mobility uses and in all honesty she said to him and agreed that within the next budget cycle any conditions he wanted to put on it would be in the next cycle and right now he could not change budget designations and Fund 405 was Street and Bridge; and Mayor White stated that Mr. Marcotte did report back to him concerning the criteria and it was mobility related and it had never been literally only street and bridge and there were other issues in other funds, whenever there was refueling vehicles this was something they found out and there was no refueling vehicle fund so they had to find some fund; and Mr. Hall stated this was a mechanical thing and they had to find a way to allow a change to be made and that was what they were searching for now. Council Member Brown absent.

48. **ORDINANCE AMENDING ARTICLE VI, CHAPTER 37 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a new Division 3 relating to Cable and Video Service providers within the City of Houston – **(This was Item 17 on Agenda of May 31, 2006 TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-594 ADOPTED.
49. **ORDINANCE AMENDING ARTICLE V OF CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Excavation in the Public Way; establishing a schedule of fees for permits issued in connection therewith; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability; containing a repealer – **(This was Item 18 on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN and GREEN)** – was presented.

Council Member Berry stated that this was process working as it should, there was a real partnership between Council and the drafters and Public Works who had to implement this and he wanted to commend Andy and the Public Works group which worked on it, it was a good ordinance.

A vote was called on Item 49. All voting aye. Nays none. ORDINANCE 2006-595 ADOPTED.

51. **ORDINANCE** appropriating \$1,625,000.00 out of Airport System Consolidated 2001 NON-AMT Construction Fund, and approving and authorizing a contract between the City of Houston and **RANNOCH CORPORATION** for Upgrading Existing Airport Operations Monitoring and Flight-Tracking System for the Houston Airport System; CIP A-0511 – **DISTRICTS B - JOHNSON; E - WISEMAN and I – ALVARADO - (This was Item 33 on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS JOHNSON and GARCIA)** – was presented. All voting aye. Nays none. ORDINANCE 2006-596 ADOPTED.
52. **ORDINANCE** appropriating \$2,180,615.00 out of Airport System Subordinate Lien Revenue Bond Series 1998B (AMT) Construction Fund and approving and authorizing contract between the City of Houston and **KOETTER FIRE PROTECTION OF HOUSTON, LLC** for Fire Alarm System Upgrade at George Bush Intercontinental Airport/Houston,

William P. Hobby Airport and Ellington Field, CIP A-0500; Project 421 - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO - (This was Item 34 on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, JOHNSON and GARCIA)** - was presented. All voting aye. Nays none. ORDINANCE 2006-597 ADOPTED.

53. ORDINANCE appropriating \$30,422,700.59 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), and Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy Place) for Affordable Housing, Administrative Expenses, Payment of Project Costs, Payments to the Houston Finance Corporation and certain Redevelopment Authorities as provided herein - **(This was Item 54 on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented.

Council Member Lawrence moved to amend Item 53 and delete Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone) within the caption and delete section seven in its entirety which involved the Gulfgate Zone and reduce the appropriated sum from \$30,422,700.59 to \$29,678,229.87, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0461 ADOPTED.

Upon questions by Council Member Brown, Mayor White stated that there was a change in numbers received from the county and Council Member Lawrence repeated her amendment and stated that they would come back with something next week for Gulfgate; and Council Member Brown stated that there were pending financial matters with Gulfgate he thought needed to be straightened including a step grant to the tune of, in the millions, it was a step grant that was to have funds conveyed to the TIRZ which had sat there for years and he believed it was close to two million and it was sitting at TXDOT, it was never conveyed; and if they were going to try and cleanup business of the Gulfgate TIRZ that was part of what needed to be cleaned up; and Council Member Brown yielded to Council Member Alvarado who stated that she would agree, she was not sure what the change did and would like time to look at it as the TIRZ was in her district.

Mayor White stated that a mistake was made and he believed this was just on the accurate information; that the amendment did pass and now they were considering the main item as amended, this was to transfer funds, it did not approve budgets, this was allocating funds into three groups, affordable housing funds, administrative expense and changing funds in the TIRZ account and they still had to approve TIRZ budgets for expenditures to be made within those

budgets; and Council Member Alvarado stated that in the future when this came up she would ask notification be given to District Council Members, if there was a change so they would not have to go through this at the table. Council Member Holm absent.

Council Member Brown stated that for clarification were they saying they were not paying the money to the Gulfgate Redevelopment Authority and if so where was the \$744,000 going; and Mayor White stated that he believed one problem with TIRZ was getting reliable figures from each taxing authority and he was trying to listen to all around the table and figure the parliamentary issue if they were going to start deciding where to put mobile fuel trucks in budget and he knew Council Member Wiseman had a question on the Lake Houston TIRZ; that if he wanted they could entertain a motion to delay the item a week, but so everyone knew the effect it had was...; that he was the one pushing to say if they had certain money for affordable housing to make sure the account earned interest on the money as opposed to sitting on it, but it could be delayed if someone wanted. Council Member Holm absent.

Council Member Alvarado moved to postpone Item 53 as amended for one week, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0462 ADOPTED.

Council Member Wiseman stated that she would release her tag on Item 28.

28. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) for Law Enforcement, General Surveillance and Traffic Control in TXDOT Construction Zones – Revenue – was again before Council. All voting aye. Nays none. Council Member Holm absent. ORDINANCE 2006-598 ADOPTED.

Mayor White stated that for Council Members saying why did people not have officers directing traffic when there was construction, TXDOT and Martha Montovo and come up with something they had worked on for two years and was great and some would be built in the budget and he did applaud their efforts; that there may be a press availability about that and some other things to reduce traffic congestion shortly after this meeting. Council Member Lovell absent.

Mayor White stated that if no one objected they would start with matters to be presented by Council Members and then go to Items 47 and 47a when the appropriate source of funding was identified.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Clutterbuck stated that she wanted to speak briefly about the Houston Media Source contract and particularly to thank the new board for crafting a contract which put in place safeguards, to make sure nude contact aired in the past would not be aired and for protecting the public from things which should not be aired; and thanked Mayor White for the budget discipline he put in place for the fiscal year budget they would be voting on regarding this matter to see that no more money from the general fund went into public access channels, it was because they cared about public safety and other items that should come from that fund that they wanted to wean the public access channels off the general fund; and she was delighted they were taking a business approach to the operation of municipal channels to see they were moving forward on a pay as you go type function; that this was difficult to sort out and the money approved today was money not previously sent to Houston Media source because they had no contract with them and she was delighted they would use it for capital improvements and she looked forward to a future with Houston Media Source and the Municipal

Channel and streaming of content so people could access it anytime they wanted. Council Members Wiseman and Lovell absent.

Council Member Clutterbuck stated that she also wanted to speak on the gang attack at Ervan Chew Park in broad daylight yesterday; that it was shocking and they had seen the signs where gangs were talking back and forth for some time in graffiti on buildings, etc., and as tragic as it was to have a gang slaying at 2:30 in the afternoon in front of families swimming at a public pool they should not be surprised; and urged HPD put all resources available into solving this crime and preventing it in the future. Council Members Wiseman and Lovell absent.

Council Member Clutterbuck stated that the federal transit administration published notice of intent to prepare environmental impact statements for the university corridor line that METRO was charged with building and there would be two public meetings where the public could respond and it would go into the record and she planned to read into the record and introduce in the record some data collected at the nine meetings Council Members Edwards, Holm and herself had hosted earlier and urged all to attend if they had opinions on it, the first was to be held June 27, 4:00 p.m. to 7:00 p.m. at the Third Ward Multi Purpose Center located at 3611 Ennis and the second was June 29, 4:00 p.m. to 7:00 p.m. at the San Jacinto Girl Scout Headquarters located at 3110 Southwest Freeway; and she did urge active participation. Council Members Wiseman, Lovell and Berry absent.

Council Member Johnson stated that he wanted to thank the Administration for finally getting the Fifth Ward Multi Purpose Center renovated to a tune of a few million dollars, it was a big help for the community; and as well as bringing in a new multi purpose center at the Northeast in Tidwell Park, it would be a tremendous boost for the quality of life in the area; and especially thanked Mr. Dadoush who kept his promise on working on this and making sure the property was constructed and they were looking forward to ground breaking in about 30 days. Council Members Wiseman and Berry absent.

Council Member Johnson stated that he also congratulated Birkley Homes with Royal Oaks who was doing a development in the district he was very proud of; the development had taken the community into consideration and it would not just increase the tax base but the tax market for more development. Council Member Wiseman absent.

Council Member Lovell stated that she was heart broken with what occurred in the park yesterday and they still did not have all facts, but she did commend HPD for their quick action; that they did not know for sure if it was gang activity but apparently the young man killed was involved in a gang and evidently those who did it did not care that others were watching as the park was full, unfortunately the young man was stabbed by a young woman in a group of thugs who showed up with golf clubs, etc., and she wanted to say the Parks and Recreation Department had done an excellent job making sure parks were safe and those in the neighborhood did an excellent job making sure they were safe and she did not know any way this could have been stopped or avoided; that there was a long list of witnesses and she thanked all who called and if anyone saw anything which looked suspicious they should not hesitate to call police to come and anyone with any information on this should call Crime Stoppers or HPD. Council Member Wiseman absent.

Council Member Edwards stated that her office worked with Ervan Chew Park since they came into the district and there were many challenges in the Montrose area; that they convened a Montrose Taskforce and what was going on in all areas was going on in Montrose; that they had strong support from the storefront and personnel and held meetings with business owners and civic club members and street kids as to what was going on but they could not get the attention from police, except the immediate store front, and the same incidents were happening

throughout District D with problems with gangs in parks and maybe it would take a killing to get attention needed, gangs even had recruiting parties in the parks and she was not sure what was needed, but people banded together in the Montrose and she thanked the office for getting her all the information they could. Council Members Khan and Lovell absent.

Council Member Edwards stated that OST and Griggs had been torn up the last six months and she thought it was milled to be overlaid by TXDOT because it was raggedy and they could not get any status; that they were told there may be a conflict between OST and a contractor, but in any case they were both major thoroughfares and both in terrible shape for a number of months and she would like to know who to speak with at TXDOT for information. Council Members Khan and Lovell absent.

Council Member Edwards stated that the Sunnyside area still had irresponsible property owners, most of whom did not live there, and Neighborhood Protection over the years gave much time to mowing lots but they were just nasty with rats, etc., and she thanked Mr. Tinnerman and others working with her on an ordinance to address the issue; that she felt if they were irresponsible relief needed to be brought to communities and it angered her people got benefits for being a property owner and walked away from responsibilities and did not even pay liens; that she thought their property should be condemned and it be given to communities and if no one liked it then take the city to court, something was needed to make people accountable for consequences they caused. Council Member Lovell absent.

Council Member Edwards stated that in working with Mrs. White on her healthy choices and women's conferences, in district D they were trying to get it to a more definitive process where they always got a lot of women but seldom a lot of women who really needed the information and support, those who might be in recovery, single parents, etc., and this weekend there was a conference to be put on by a whole group of people and called All Women of Power, testimonies of triumph and support efforts and a play, June 9 and 10, 2006, with some there providing information and testing would be the Health Department, Council, Housing and People in Partnership, Houston Area Women's Center, Homeless Coalition, etc., and churches and corporate sponsors; the play Saturday would be at the Hobby Center and if anyone knew of people in need her office was trying to secure more tickets to give and her number was 713-247-2001, so far they had donated 150 tickets. Council Members Wiseman and Alvarado absent.

Mayor White stated that information was in and if there was no objection, the next pending item was concerning the transfer of source of funding for the mobile fueling vehicles to help keep the city moving if there was an evacuation; and called on Council Member Holm. Council Member Wiseman absent.

47. ORDINANCE appropriating \$273,720.00 out of Street & Bridge Construction Fund (Fund 405) for Rapid Refueling Upgrades for Public Works & Engineering Department – (This was Item 14 on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM and SEKULA-GIBBS) - was again before Council. Council Member Wiseman absent.

Council Member Holm stated that she wanted to table Item 47 and then amend Item 47a; and moved to table Item 47, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent. MOTION 2006-0463 ADOPTED.

Upon questions by Council Member Khan, Mayor White stated that Item 47 was passed and then reconsidered and brought back and now it would be tabled which meant for all practical purposes it evaporated for a while.

47a. Motion by Council Member Alvarado, seconded by Council Member Khan to adopt the recommendation from Finance & Administration Department to award to DUP'S INC for Rapid Refueling Upgrades for Department of Public Works & Engineering \$273,720.00 - Street & Bridge Construction Fund – (This was Item 14a on Agenda of May 31, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM and SEKULA-GIBBS) – was again before council. Council Member Wiseman absent.

Council Member Holm moved to amend Item 47a to provide funding from the General Government Contingency Fund 100/99/1210/3880.

Council Member Sekula-Gibbs stated that she was confused as to how they could amend an Item A which related to the main item already tabled, it seemed Item A could not stand without the main item, they seemed to be contingent; and Mayor White stated that Item 47 simply had the effect of identifying the fund for Item 47a which was a purchase order so they made it tidy and would have both a purchase order and source of funding in 47a and 47a was not actually an amendment of 47 otherwise he would understand what she was saying, Item 47a was the purchase order and if that was parliamentary inquiry that was his response and if it was point of order it would be overruled. Council Member Wiseman absent.

Council Member Alvarado stated that she appreciated what was being done and that they were trying to simplify; and upon questions, Mayor White stated that he would vote for Council Member Holm's amendment mainly out of respect for Council Member Holm and the fact he did not think it did great harm, he personally thought it was not good government because he thought in government you should try as best you could to match an itemized item within a budget with what you were trying to pay for and one reason Fund 405 was used was comments by Council Member Holm along the lines that 405 should be used for criteria established in July following the budget which included mobility, normally they did not do equipment out of general contingency funds but from equipment accounts, but equipment accounts were already committed and this was a new or extraordinary expenditure and having said that any of such funds could be used for an any lawful purpose and so long as they said on the record what they were doing it was transparent and he would vote aye without agreeing with the policy. Council Member Wiseman absent.

Council Member Holm thanked Mayor White and stated that she appreciated his respect and thought her proposal was good government.

A vote was called on Council Member Holm's motion to amend Item 47a. Council Member Sekula-Gibbs voting no. Balance voting aye. Council Member Wiseman absent. MOTION TO AMEND CARRIED.

Mayor White called for a vote on the main item as amended. Council Member Sekula-Gibbs voting no. Balance voting aye. Council Member Wiseman absent. MOTION 2006-0464 ADOPTED.

Mayor White stated that they would continue with Council Members and called on Council Member Lawrence. Council Member Wiseman absent.

Council Member Lawrence stated that she wanted to thank Council Member Green and his staff who did a wonderful job with the budget hearings and questions answered; and thanked the Mayor and her colleagues who said yes to tearing down 28 buildings at Hilton Town, it was a big step forward in improving the area which had been owned by someone needing to be held accountable and the lien would be paid; and a number of residents went out and appreciated it.

Mayor White, Council Members Edwards, Wiseman, Holm and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated that he wanted to pay respect to a family of a dear friend, Mr. Alfred C. Postel unfortunately left all the 5th of the month and the family asked him to provide a eulogy this evening, but he was a 71 year resident of the Magnolia neighborhood and would be completing 54 years of marriage; that his nickname was Weedle, which was a hollowed out instrument with ridges a lot of Latin groups used, and because he was so skinny as a kid his ribs protruded from his body and he got the name from his grandpa; that the family were wonderful friends; and he called for a moment of silence in memory of Mr. Postel. Mayor White, Council Members Lawrence, Edwards, Wiseman, Holm and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia thanked the Affirmative Action Department for helping him organize a networking event with MWBE firms along with the Houston Work Source northside office, he was trying to bring them closer together with the community by identifying a great agency like Houston Work Source as a place to go find prescreened applicants and hopefully save small firms money and identify possible hires and the event would be this evening. Council Members Lawrence, Edwards, Wiseman, Holm and Sekula-Gibbs absent.

Council Member Garcia stated that he wanted to make sure the near Northside and Northside communities were invited to the inter model facility townhall meeting to hear plans proposed for the inter model facility in their area, there was concern because things would change with the development of the project, but he thought it would be good and serve the city well, it would be tomorrow at 6:00 p.m. at Kettleson Elementary. Council Members Lawrence, Edwards, Wiseman, Holm and Sekula-Gibbs absent.

Council Member Garcia stated that tomorrow would be the Northside Weed and Seed and HPD's softball game to be held at Moody Park and he wanted to thank James Coney Island for their support of the event, sponsoring hotdogs for the kids and their families, it was at 6:00 p.m. Moody Park and he encouraged all to attend. Council Members Lawrence, Edwards, Wiseman, Holm and Sekula-Gibbs absent.

Council Member Garcia stated that Friday the World Cup Series would begin and the first match was between Germany and Costa Rica and it should be exciting. Council Members Lawrence, Edwards, Wiseman, Holm and Sekula-Gibbs absent.

Council Member Garcia stated Monday, 10:00 a.m. in the Chamber would be the Public Safety and Homeland Security Committee Meeting; and encouraged all to attend. Council Members Lawrence, Edwards, Wiseman, Holm, Sekula-Gibbs and Berry absent.

Council Member Garcia stated that Thursday, next week, would be the Leukemia Lymphoma Society Dinner and Gala; and encouraged to all to attend; that HPD gave their own time to support and he would encourage his colleagues to come. Council Members Lawrence, Edwards, Wiseman, Holm, Lovell, Sekula-Gibbs and Berry absent.

Council Member Alvarado stated that she was still waiting to get the transfer of HPD storefront from the Lyons location to Denver Harbor; that she understood the City Attorney signed off and she would like an update as to when it would happen; and yielded to Council Member Garcia who stated that they both were waiting for the move and waiting on the status. Council Members Lawrence, Edwards, Wiseman, Holm, Lovell and Sekula-Gibbs absent.

Mayor White stated that he would ask Stella to get a response; and Mr. Michel stated that he thought all that was needed was specific plans from HPD so Building Services could proceed and he had called Chief Hurtt yesterday and would follow through and report back. Council Members Lawrence, Edwards, Wiseman, Holm, Lovell and Sekula-Gibbs absent.

Council Member Khan stated that he wanted to invite all for Home Ownership Multicultural Event, Saturday, June 17, 10:00 a.m. to 5:00 p.m. at the George R. Brown Convention Center free to the public and organized and hosted by the Houston Association of Realtors, Asian American Real Estate Association, National Association of Hispanic Real Estate Professionals, National Association of Real Estate Professionals, Real Estate Association Latinos, Hispanic Real Estate Professionals of Houston in partnership with the City of Houston and George Brown Convention Center, it would be in different languages and help people in homeownership. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Lovell and Sekula-Gibbs absent.

Council Member Khan stated that one of the sister cities was hosting Texas Days in Stavanger, Norway starting June 8 and a delegation of 85 students would be sent as goodwill ambassadors and while there they would have games with students; and he would be leaving tomorrow and looked forward to it. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Green stated that all should have a memo on the next Fiscal Affairs Meeting scheduled for June 30th at 9:30 a.m. and asked all make a note; that they needed a quorum to move it along. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Green stated that today they would conclude budget hearings and start at 2:00 p.m. with the Controller's budget; 2:30 p.m. Mayor's Office, HEC Center and Affirmative Action Department; 3:00 p.m. the F&A Department, CAO and Emergency Management and 311; and at 3:30 would be Aviation budget and a discussion on Fund 405 during the F&A budget. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mayor White stated that it never would have occurred to him the number of an account would be this prominent, but essentially what was proposed was to not have the account anymore, to just have two new accounts, but to let all know the accounts would have shorter names than what might be used in the account so the book was not too fat so if called street and bridge it did not mean it was only street and bridge, etc., and he talked with Chairman Green and Council Member Holm of his intent. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Green stated that Thursday the Tri County Black Chamber of Commerce was hosting a Business Opportunity Conference at the George R. Brown and the Acting Mayor Pro Tem was to be speaker and it would be a great event with individuals from Belize being hosted as they attempted to do business in the United States. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Berry stated that the wanted to remind all the (TIA) Transportation Infrastructure Aviation Committee Meeting originally scheduled for Thursday, June 8th at 2:00 p.m. in the Chamber was rescheduled to next Thursday and Mr. Dadoush would make a presentation on the CIP and they would take up the issue of the taxi surcharge. Council

Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Berry stated that all major cities had murders and yesterday seemed it was one of the few times all in the community and media suggested this should not be happening in Montrose and if all could start to think it was not to be tolerated it would reclaim neighborhoods and he hoped others would learn from it. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he was troubled with stories of 911 with one being he was put on hold; that in his home they had to call and he was frustrated with the lack of professionalism and competence and if they needed to double salaries or recruit or train better or fire people then it needed to be done; and he hoped it would become top priority with the Mayor; and Mayor White stated that this was a constant source of discussion and he was not satisfied with 911 and there would be things they would do to correct and it had to do with hiring and training and salary and benefits and leadership, but it would be done. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he and his wife were in a restaurant in Terminal E and noticed a woman having a health problem and they did not know the number to call for an emergency health situation in their restaurant and that could be easily corrected; that about 10 minutes passed and he called his assistant and told him to get someone and he called 911 and his response was they wanted an address so he said Intercontinental Airport and was told without the cross streets they could not report the incident; that it took over 30 minutes and when the EMS came, a special group at the airport, the Crash Rescue Team, he asked why was it so long and was told there was a poor communication system and they were located across the main runway and could be delayed 10 to 15 minutes in getting to the terminals because of the planes; that if there was something major at the airport he wondered what response they would have; and Mayor White stated that he would be amazed if there were no defibrillators at the airport because his predecessor and others did a great job in putting them in public facilities and vendors should be trained; and Mr. Hall stated that he was familiar with the incident and did have a response for the Mayor and Council Member Brown, there were mistakes in dispatch and it needed to be explained there were three entities who responded to 911, it was being looked into and there would be discipline; and Mayor White stated that regarding call intake, it was a special person who did call intake and some people washed out, it was a tough job. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Mayor White stated that there would be press availability upstairs where they would highlight on outstanding new figures of the Safe Clear Program in reducing crashes on freeways. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he would like to mention he did research on the new Transportation Act and there was interesting funding opportunities for the City of Houston and given the clean air challenges he thought there were opportunities if they had the local match in hand. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that out of the new budget he hoped they could move forward with a pilot Urban Homesteading Program he and the Mayor spoke of as it would compliment Houston Hope and the LARA Affordable Housing Programs; and Mayor White stated that the

issue was to identify what people could fix up and their payment would essentially be for the land through the value of their repair and the problem with tax delinquent lots was if long term and no one was living there in all cases of the Project Houston Hope neighborhoods they were not structures which could be built, so he liked the idea but someone had to be able to move in with repairs and they needed to define such properties, so he liked the idea but they needed to find out where to do it; and Council Member Brown stated that he thought there were opportunities in District B and he proposed it as a pilot program so issues could be tested. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:25 p.m. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary